

Message Text

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ACTION EUR-25

INFO OCT-01 ISO-00 CIAE-00 DODE-00 NSAE-00 NSCE-00 SSO-00

USIE-00 INRE-00 IO-14 ACDA-19 SCA-01 PM-07 H-03

INR-10 L-03 NSC-07 PA-04 RSC-01 PRS-01 SP-03 SS-20

NEA-10 TRSE-00 SAJ-01 DRC-01 /131 W
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FM AMEMBASSY BONN

TO SECSTATE WASHDC IMMEDIATE 1481

INFO USMISSION BERLIN IMMEDIATE

AMEMBASSY LONDON

AMEMBASSY MOSCOW

AMEMBASSY PARIS

USMISSION NATO BRUSSELS

C O N F I D E N T I A L BONN 05271

E.O. 11652: GDS

TAGS: PGOV, WB, GE, GW, US, FR, UK

SUBJECT: BK/O AND BK/L ON PRIVILEGES AND IMMUNITIES FOR
GDR PERM REPS IN WEST BERLIN

REF: (A) BERLIN 553; (B) BONN 4866

1. IN LIGHT OF RESPONSES FROM LONDON AND PARIS (AND
BERLIN COMMENT) ON DRAFT BK/O AND BK/L TRANSMITTED
27 MARCH, TRIPARTITE DISCUSSION OF MATTER WAS RESUMED
APRIL 1. FRENCH REP (PAYE) REPORTED PARIS APPROVAL OF
TEXTS (AS TRANSMITTED REFTEL B), BUT UK REP (CROMARTIE)
RAISED SEVERAL ITEMS ON WHICH LONDON WANTED
CLARIFICATION. AFTER LENGTHY DISCUSSION THREE DELETIONS
WERE AGREED FOR RECOMMENDATION TO AUTHORITIES, THESE
PROPOSED DELETIONS CORRESPONDING TO BERLIN POINTS IN
PARAS 3B(END), D, AND F.

2. BEGIN TEXT BK/O:

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THE ALLIED KOMMANDATURA HAS NOTED THE PROMULGATION IN THE FRG OF THE ORDINANCE CITED ABOVE, AND, WITH REFERENCE TO PARAGRAPH 3 OF BK/O(73)7, ORDERS AS FOLLOWS:

(1) THE SENAT IS AUTHORISED TO APPLY THE PROVISIONS LAID DOWN IN THE ORDINANCE CITED ABOVE TO THE EXTENT NECESSARY TO AVOID ANY IMPEDIMENT TO THE DUE PERFORMANCE BY THE PERMANENT MISSION OF THE GDR OF ITS FUNCTIONS.

(2) THE PROVISIONS OF THE PRESENT ORDER DO NOT DEPRIVE THE PROVISIONS OF BK/O(73)7 OF EFFECT.

THIS ORDER WILL BE TRANSMITTED TO THE GOVERNING MAYOR, BERLIN, FOR SUCH ACTION AS MAY BE NECESSARY IN RELATION TO IT, INCLUDING PUBLICATION IN ACCORDANCE WITH BK/O(64)4. END TEXT.

3. BEGIN TEXT BK/L:

THE ALLIED KOMMANDATURA TODAY ENACTED BK/O(74)... FOR THE SOLE PURPOSE OF PREVENTING ANY IMPEDIMENT TO THE DUE FUNCTIONING OF THE PERMANENT MISSION OF THE GDR WHICH IS TO BE ESTABLISHED IN BONN. THE ALLIED KOMMANDATURA WISHES TO DRAW ATTENTION TO THE FACT, HOWEVER, THAT IT HAS NOT THEREBY RELINQUISHED ITS POWERS UNDER EXISTING LEGISLATION, NOTABLY ITS POWERS TO DETERMINE PRIVILEGES AND IMMUNITIES IN BERLIN AND ITS POWERS UNDER AK LAW NUMBER 8.

YOU ARE REQUESTED TO ENSURE THAT BK/O(74)... IS PUBLISHED IN THE GESETZ AND VERORDNUNGSBLATT AT THE SAME TIME AS THE PROMULGATION OF THE FEDERAL ORDINANCE REFERRED TO THEREIN. END TEXT.
HILLENBRAND

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